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CENTRAL FAX CENTER****DEC 22 2006****FAX TRANSMISSION****DATE:** December 22, 2006**PTO IDENTIFIER:** Application Number 09/331,723-Conf. #002008  
Patent Number**Inventor:** John E. BOYNTON et al.**MESSAGE TO:** US Patent and Trademark Office**FAX NUMBER:** (571) 273-8300**FROM:** BIRCH, STEWART, KOLASCH & BIRCH, LLP  
Thomas J. Siepmann**PHONE:** (703) 205-8000**Attorney Dkt. #:** 2185-0156P**PAGES (Including Cover Sheet):** 21**CONTENTS:** Fee Transmittal (1 page)  
Request for Continued Examination Transmittal (1 page)  
Amendment Transmittal (1 page)  
Three Month Request for Extension of Time Under 37 CFR 1.136(a) (1 page)  
Amendment in Response to Non-Final Office Action (15 pages)  
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Certificate of Transmission (1 page)

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CENTRAL FAX CENTER****DEC 22 2006**

PTO/SB/97 (09-04)

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Application No. (if known): 09/331,723

Attorney Docket No.: 2185-0156P

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PTO/SB/17 (07-08)

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Effective on 12/09/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). <b>FEE TRANSMITTAL</b> <b>For FY 2006</b>		<b>Complete if Known</b>	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	09/331,723-Conf. #002008
		Filing Date	August 18, 1999
		First Named Inventor	John E. BOYNTON
		Examiner Name	A. D. Mehta
		Art Unit	1638
<b>TOTAL AMOUNT OF PAYMENT</b> (\$) 2,950.00		Attorney Docket No.	2185-0156P

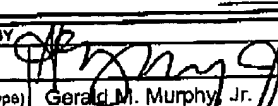
  

<b>METHOD OF PAYMENT</b> (check all that apply)	
<input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> None <input type="checkbox"/> Other (please identify): _____	<input checked="" type="checkbox"/> Deposit Account    Deposit Account Number: <u>02-2448</u> Deposit Account Name: <u>Birch, Stewart, Kolasch &amp; Birch, LLP</u>
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)	
<input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17	<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee <input checked="" type="checkbox"/> Credit any overpayments

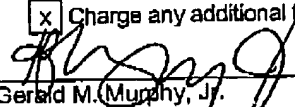
<b>FEE CALCULATION</b>							
<b>1. BASIC FILING, SEARCH, AND EXAMINATION FEES</b>							
	<b>FILING FEES</b>		<b>SEARCH FEES</b>		<b>EXAMINATION FEES</b>		
<b>Application Type</b>	<b>Fee (\$)</b>	<b>Small Entity Fee (\$)</b>	<b>Fee (\$)</b>	<b>Small Entity Fee (\$)</b>	<b>Fee (\$)</b>	<b>Small Entity Fee (\$)</b>	<b>Fees Paid (\$)</b>
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	
							<b>Small Entity</b>
							<b>Fee (\$)</b>
<b>2. EXCESS CLAIM FEES</b>							<b>Fee (\$)</b>
Each claim over 20 (including Reissues)							50
Each independent claim over 3 (including Reissues)							200
Multiple dependent claims							360
							180
<b>Total Claims</b>		<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>	<b>Multiple Dependent Claims</b>		
60		74	x		<b>Fee (\$)</b>		<b>Fee Paid (\$)</b>
HP = highest number of total claims paid for, if greater than 20.							
<b>Indep. Claims</b>		<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>			
3		7	x				
HP = highest number of independent claims paid for, if greater than 3.							
<b>3. APPLICATION SIZE FEE</b>							
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).							
<b>Total Sheets</b>	<b>Extra Sheets</b>	<b>Number of each additional 50 or fraction thereof</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>			
	- 100 =	150	(round up to a whole number) x				
				<b>Fees Paid (\$)</b>			
<b>4. OTHER FEE(S)</b>							
Non-English Specification, \$130 fee (no small entity discount)				790.00			
Other (e.g., late filing surcharge): 1801 Request for continued examination (RCE) (see 37 ...				2160.00			
1253 Extension for response within fifth month							

<b>SUBMITTED BY</b>		<b>Registration No.</b>	<b>Telephone</b>
Signature: 		28,977	(703) 205-8000
Name (Print/Type): Gerald M. Murphy, Jr.		<b>Date</b>	December 22, 2006

GMM/TJS/csm

DEC 22 2006

<b>AMENDMENT TRANSMITTAL LETTER</b>			Docket No. 2185-0156P	
Application No. 09/331,723-Conf. #002008	Filing Date August 18, 1999	Examiner A. D. Mehta	Art Unit 1638	
Applicant(s): John E. BOYNTON et al.				
Invention: METHODS OF CONFERRING PPO-INHIBITING HERBICIDE RESISTANCE TO PLANTS BY GENE MANIPULATION				
<b>MS RCE</b> Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.				
<b>CLAIMS AS AMENDED</b>				
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate
Total Claims	60	- 74 =		x
Independent Claims	3	- 7 =		x
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>				
Other fee (please specify): Request for continued examination (RCE) (see 37 CFR 1.114); Extension for response within fifth month				2,950.00
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:</b>				2,950.00
<input checked="" type="checkbox"/> Large Entity <span style="margin-left: 200px;"><input type="checkbox"/> Small Entity</span> <input type="checkbox"/> No additional fee is required for this amendment. <input checked="" type="checkbox"/> Please charge Deposit Account No. <u>02-2448</u> in the amount of \$ <u>2,950.00</u> . A duplicate copy of this sheet is enclosed. <input type="checkbox"/> A check in the amount of \$ _____ is enclosed. <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. <input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. <u>02-2448</u> as described below. A duplicate copy of this sheet is enclosed. <input checked="" type="checkbox"/> Credit any overpayment. <input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.				
 Gerald M. Murphy, Jr. Attorney Reg. No.: 28,977			Dated: <u>December 22, 2006</u>	
BIRCH, STEWART, KOLASCH & BIRCH, LLP 8110 Gatehouse Road Suite 100 East P.O. Box 747 Falls Church, Virginia 22040-0747 (703) 205-8000				

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